

RESOLUTION NO. 2019-31

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A
SETTLEMENT BETWEEN THE VILLAGE AND JOHN C.
GILBERT; PROVIDING FOR AUTHORIZATION; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, John C. Gilbert served as the Village Manager of the Village of Key Biscayne (“Village”) until September 30, 2018; and

WHEREAS, a dispute arose between the Village and Mr. Gilbert resulting in a lawsuit against the Village and other defendants (the “Lawsuit”); and

WHEREAS, the Village and Mr. Gilbert, through their respective representatives, have engaged in discussions and negotiations to attempt to settle the Lawsuit; and

WHEREAS, Mr. Gilbert is willing to settle all of his claims that were or could have been brought against the Village and the other defendants in the Lawsuit, including all costs and attorney’s fees incurred in this matter, and release the Village and all defendants of any liability, in exchange for the lump-sum payment of \$325,000 (funds that will be provided solely by insurance) to Mr. Gilbert; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF
THE VILLAGE OF KEY BISCAYNE, FLORIDA AS FOLLOWS:**

Section 1. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. That the Village Council approves the settlement of all claims that were or could have been asserted by Mr. Gilbert, including costs and attorney's fees, for the lump sum of \$325,000 (funds that will be provided solely by insurance).

Section 3. That the appropriate Village officials are authorized to execute all documents deemed necessary by the Village Attorney to implement the intent of this Resolution.

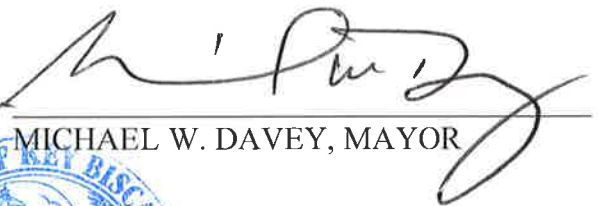
Section 4. That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 21st day of May, 2019.

ATTEST:


JENNIFER MEDINA, CMC
VILLAGE CLERK




MICHAEL W. DAVEY, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY